

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

RENEE P.,

Case No. 23-CV-1792 (PJS/DJF)

Plaintiff,

v.

ORDER

MARTIN J. O'MALLEY, Commissioner
of Social Security,

Defendant.

Clifford M. Farrell, MANRING & FARRELL, for plaintiff.

Melissa K. Curry, SOCIAL SECURITY ADMINISTRATION, for defendant.

Plaintiff brought this action for review of the denial of her application for Social Security disability benefits. This matter is before the Court on plaintiff's objection to the May 22, 2024, Report and Recommendation ("R&R") of Magistrate Judge Dulce J. Foster. Judge Foster recommends granting defendant's motion for summary judgment and denying plaintiff's motion for summary judgment.

The Court has conducted a de novo review. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Based on that review, the Court overrules plaintiff's objection and adopts the R&R. In particular, the Court agrees with Judge Foster that the Administrative Law Judge did not err in equating "superficial" with Level 8 on the People Scale in the

Dictionary of Occupational Titles. *See Alie v. Berryhill*, No. 4:16 CV 1353 JMB, 2017 WL 2572287, at *16 (E.D. Mo. June 14, 2017) (“Level 8 interaction is compatible with a RFC limiting a claimant to only superficial contact with coworkers, supervisors, and the public.”).

ORDER

Based on all of the files, records, and proceedings herein, IT IS HEREBY ORDERED THAT:

1. Plaintiff’s objection [ECF No. 16] is OVERRULED.
2. The Report and Recommendation [ECF No. 15] is ADOPTED.
3. Plaintiff’s motion for summary judgment [ECF No. 11] is DENIED.
4. Defendant’s motion for summary judgment [ECF No. 13] is GRANTED.
5. This action is DISMISSED WITH PREJUDICE AND ON THE MERITS.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: July 2, 2024

s/Patrick J. Schiltz

Patrick J. Schiltz, Chief Judge
United States District Court